

ALLEN & OVERY LLP

1221 Avenue of the Americas

New York, NY 10020

Telephone: (212)-610-6300

Facsimile: (212) 610-6399

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known as
THE ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 10-05354 (SMB)

**CERTIFICATE OF NO OBJECTION TO MOTION OF ABN AMRO
BANK N.V. (PRESENTLY KNOWN AS THE ROYAL BANK OF
SCOTLAND, N.V.) FOR THE ENTRY OF AN ORDER PURSUANT TO
FEDERAL RULE OF BANKRUPTCY PROCEDURE 8002(d) FOR AN
EXTENSION OF TIME TO FILE A NOTICE OF APPEAL AND MOTION
FOR LEAVE TO APPEAL**

ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.) (“RBS/ABN”), by and through its undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2 and respectfully represents as follows:

1. I am an attorney at law in the State of New York and am a partner with the law firm of Allen & Overy LLP, attorneys for ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.) in the above captioned matter.

2. On March 14, 2017, RBS/ABN filed the *Motion for the Entry of an Order Pursuant to Federal Rule of Bankruptcy Procedure 8002(d) for an Extension of Time to File a Notice of Appeal and Motion for Leave to Appeal* (the “Motion”). See *Picard v. ABN AMRO Bank N.V. (presently known as The Royal Bank of Scotland, N.V.)*, Adv. Pro. No. 10-05354 (SMB), ECF No. 118.

3. The deadline for filing objections to the Motion was March 22, 2017. A hearing on the motion has been scheduled for March 29, 2017 at 10:00 a.m.

4. Notice of the Motion was provided in accordance with the Order Establishing Notice Procedures and Limiting Notice, *Sec. Inv’r Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC*, Adv. Pro. No. 08-01789 (SMB), ECF No. 4560, by filing the motion on the CM/ECF system for the United States Bankruptcy Court for the Southern District of New York, thereby effectuating service on counsel for Irving H. Picard, (the “Trustee”), the only other active participant in this adversary proceeding. Courtesy copies of the aforementioned papers were also sent via e-mail to the individuals set forth on the attached Schedule A.

5. Prior to the filing of the Motion, counsel for RBS/ABN and counsel for the Trustee stipulated and agreed that the Trustee did not object to the Motion or the proposed order annexed thereto. See *Stipulation Regarding Motion of ABN AMRO Bank N.V. (presently known*

as The Royal Bank Of Scotland, N.V.) for the Entry of an Order Pursuant to Federal Rule of Bankruptcy Procedure 8002(d) for an Extension of Time to File a Notice of Appeal and Motion for Leave to Appeal, Adv. Pro. No. 10-05354 (SMB), ECF No. 118, Ex. B.

6. Counsel for RBS/ABN has reviewed the Court's docket not less than forty-eight hours after expiration of the time to file an objection and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. No party has indicated to RBS/ABN that it intends to oppose the relief requested in the Motion.

7. An electronic copy of the proposed order (the "Order"), that is substantially in the form of the proposed order that was annexed to the Motion, will be submitted to the Court along with this certificate.

8. Pursuant to Local Bankruptcy Rule 9075-2, RBS/ABN respectfully requests that the Order be entered without a hearing.

Dated: March 27, 2017
New York, New York

Respectfully submitted,

ALLEN & OVERY LLP

By: /s/ Michael S. Feldberg
Michael S. Feldberg
michael.feldberg@allenovery.com
1221 Avenue of the Americas
New York, New York 10020
Telephone: (212)-610-6300
Facsimile: (212) 610-6399

*Attorneys for Defendant ABN AMRO Bank N.V.
(presently known as The Royal Bank of Scotland
N.V.)*

SCHEDULE A

Via E-mail

Thomas Long
TLong@bakerlaw.com
Torello Calvani
tcalvani@bakerlaw.com
Stacy A. Dasaro,
sdasaro@bakerlaw.com
Catherine Woltering
cwoltering@bakerlaw.com
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, NY 10111

*Attorneys for Plaintiff Irving H. Picard, Esq.,
Trustee for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
Madoff*